

AMENDMENT

Please amend the application without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents.

In the Claims

1. (Currently amended) An isolated bacteriocidal antibacterial protein obtainable obtained from *Streptococcus salivarius* strain K12 on deposit at Deutsche Sammlung von Mikroorganismen Und Zellkulturen GmbH, Braunschweig, Germany, accession number DSM 13084, having the following properties:

- a) — a molecular mass of approximately 2733 Da, as determined by ion-spray mass spectrometry, and an N-terminal amino acid sequence represented by SEQ ID NO: 1, ~~or~~
- b) — ~~an antibacterial variant of the antibacterial protein, which variant has greater than 80% amino acid sequence identity with said protein.~~

2. (Cancelled)

3. (Allowed) An isolated antibacterial protein having the amino acid sequence of SEQ ID NO: 3.

4. (Currently amended) An isolated bacteriocidal antibacterial protein which has an amino acid sequence which differs from the sequence of SEQ ID NO: 3 by the insertion, deletion or substitution of from one to three amino acids.

5. (Cancelled)

6. (Currently amended) [[A]]The protein as claimed in any one of claims 1, 3 or 4, ~~claim 5~~ which is bacteriocidal with respect to *Streptococcus pyogenes*.

7. (Currently amended) An antibacterial composition which includes [[a]]the protein as claimed in any one of claims 1, 3, 4 or 6 to 6 ~~or an organism which can express a protein as claimed in any one of claims 1 to 6~~.

8. (Currently amended) A therapeutic formulation which comprises:

- (i) — ~~the~~ protein as claimed in any one of claims 1, 3, 4 or 6, ~~6~~, ~~or~~
- (ii) — ~~an organism which can express a protein as claimed in any one of claims 1 to 6~~

in combination with a diluent, carrier and/or excipient.

9. (Cancelled)

10. (Cancelled)